

PS 8  
(5/05)

**UNITED STATES DISTRICT COURT  
for the  
DISTRICT OF MASSACHUSETTS**

United States of America

vs.

Frank R. Bowman Jr.

Docket No.#04-10293-JLT-02

**PETITION FOR ACTION ON CONDITIONS OF PRETRIAL RELEASE**

The undersigned Pretrial Services Officer presents this report regarding defendant Frank R. Bowman Jr., who was released on bail by the Honorable Lawrence P. Cohen, on October 10, 2004, under the following conditions:

1. Report to Pretrial Services by telephone every Monday by noon.
2. Third party custody to William Bowman.
3. Maintain residence at 8 Oak St., Everett, MA. 02149.
4. Maintain/seek employment with William Bowman.
5. Travel restricted to D/MA.
6. Do not possess/use any firearms or destructive devices.
7. Restrict excessive use of alcohol.
8. Do not possess/use any illegal narcotics.
9. Submit to random drug testing.
10. Submit to curfew from 8:00 p.m. to 6:00 a.m.
11. Submit to electronic monitoring.
12. Notify Pretrial Services within 24 hours of any new arrests

And respectfully seeks action by the Court for violations that include:

*Please refer to attached violation memorandum dated February 15, 2006*

**Petition for Action on Conditions of Pretrial Release**

**PRAYING THE COURT WILL:**

☐ Issue a Warrant

☐ Issue a Summons for the defendant to appear for a show cause hearing

☒ Other: Take No Action at this Time (please refer to attached memorandum

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on March 22, 2006 Place Boston, Massachusetts

 Date 03/22/2006  
David A. Picozzi  
U.S. Pretrial Services Officer

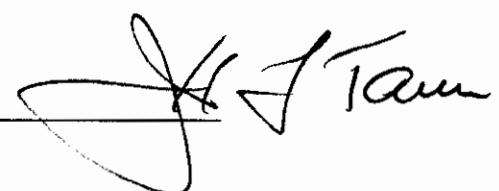
**ORDER OF COURT**

☐ Warrant to Issue

☐ Summons to issue. Clerk to schedule show cause hearing.

☒ Other:

Considered and ordered this 27<sup>th</sup> day of MARCH, 2006, and ordered filed and made part of the record in the above case.

  
Judicial Officer



## MEMORANDUM

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**To:** Honorable Joseph L. Tauro, U.S. District Court Judge  
**cc:** Paul R. Moore, AUSA  
Charles A. Clifford, Counsel for the Defendant  
**From:** David A. Picozzi, U.S. Pretrial Services Officer  
**Re:** Bowman, Frank R. Jr.  
CR#04-10293-JLT-02  
**Date:** March 21, 2006

This memorandum is being submitted to advise Your Honor that the above named defendant has violated his conditions of release by testing positive for the use of Cocaine, a controlled narcotic substance.

On March 21, 2006, the defendant reported to the Pretrial Services Agency as directed to submit to a drug test that was initially scheduled for March 20, 2006.

During the course of the meeting the defendant advised that he was unable to report on March 20, 2006 as required due to his employment. The defendant advised that he inadvertently missed reporting for his drug screen due to an exceptionally busy work schedule.

Following the above noted meeting this officer conducted a drug screen on the defendant. This drug screen returned a presumptive positive result for the use of Cocaine.

When inquired of by this officer, the defendant advised that he had snorted two to three lines of Cocaine on March 18, 2006 at a party. He noted that he had consumed a large amount of alcohol on that date and that in his inebriated state he indulged in the use of Cocaine when it was made available to him.

The positive sample (sample # C00665257) was sent to Scientific Testing Laboratories in Richmond, VA for confirmation. The defendant was present throughout the sample packaging process and signed and dated all the necessary chain of custody forms.

Honorable Joseph L. Tauro  
U.S. District Court Judge  
RE: Bowman, Frank R. Jr.  
March 21, 2006  
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As Your Honor is aware the defendant entered a plea of guilty to the charges filed against him on February 22, 2005. Your Honor accepted the defendant's plea on that date and ordered that his conditions of release as previously set by Magistrate Judge Lawrence P. Cohen be continued until he appears before the Court for sentencing.

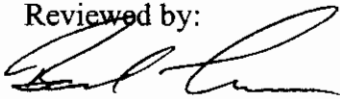
While this officer is aware that any violation of conditions, particularly one of this nature, is serious he would respectfully note that up until this violation the defendant has remained in compliance with all of his conditions of release. This officer would view this recent infraction as aberrant behavior and as such has taken steps to address the infraction through the following modifications:

1. The frequency of the defendant's drug testing has been appropriately increased
2. The defendant will continue to report to Pretrial Services both in person and by telephone as directed.

This officer has made the defendant abundantly aware that any future violations will result in the potential revocation of his conditions of release. This officer would suggest that no action be taken at this time in regards to this violation.

Please advise if Your Honor would concur with this course of action.

Reviewed by:



Basil F. Cronin  
Supervising U.S. Pretrial Services Officer

I Concur  
J Tauro  
3/27/06